

1 Total Pages: 2  
2 James E. Salven  
3 Chapter 7 Trustee  
4 8427 N. Millbrook Ave., Ste. 101  
5 Fresno, CA 93720  
6 (559) 230-1095

5 **IN THE UNITED STATES BANKRUPTCY COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**

7  
8 In the Matter of Case No. 11-17892-B-7

9  
10 DC No. JES-3

11 MICHAEL SCHMART &  
12 CHRISTINE SCHMART,

13  
14 **TRUSTEE'S MOTION TO SELL**  
**PROPERTY OUT OF THE**  
**ORDINARY COURSE OF**  
**BUSINESS AT PUBLIC AUCTION**  
**(11 U.S.C. Sec. 363(b)(1);(f))**

15 Debtor.

16 / Date: February 15, 2012  
17 Time: 10:00 a.m.  
18 Dept: B

19 James E. Salven, Chapter 7 Trustee, ("Trustee"), moves the  
20 Court as follows:

21 1. This Court has jurisdiction over this matter pursuant to  
22 28 U.S.C. Section 1334(a). This is a "core" proceeding pursuant to  
23 28 U.S.C. Section 157(b) (2) (A), (N).

24 2. This case was commenced by the filing of a Chapter 7  
25 petition on or about 07/13/11. James Salven was appointed Chapter  
7 Trustee on or about 07/13/11.

26 3. Among the assets of the estate is a 1995 Dodge Ram truck,  
27 bearing VIN:3B7HF13Z5SM185591. No liens or encumbrances are known.

28 4. The Trustee wishes to sell the subject assets so that  
the proceeds can benefit the estate. The estate has elected to sell

1 the subject assets by means of a public auction to be held on or  
2 after 02/15/2012, at 1328 N. Sierra Vista, Suite B, Fresno,  
3 California.

4       6. The Trustee believes that the sale is in the best interest  
5 of the estate.

6       7. The property proposed to be sold constitutes a portion of  
7 the personal property in possession of the debtors at the time the  
8 case was filed.

9 WHEREFORE, Movant prays as follows:

10       1. For an Order approving the public auction sale of the  
11 subject property described above, to be held on or after 02/15/2012,  
12 at 1328 N. Sierra Vista, Suite B, Fresno, California, and;

13       2. For such other and further relief as the Court deems just  
14 and proper.

Dated: 1/9/12

By:

James E. Salven, Trustee

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